

Honorable Marsha J. Pechman

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

DARCY JOHNSON,)
Plaintiff,) No. 2:09-cv-01030-MJP
v.) ANSWER AND AFFIRMATIVE
RAINIER COLLECTION) DEFENSES
SERVICES, INC.,)
Defendant(s).)

)

In response to the Complaint filed herein, the Defendant, Rainier Collection Services, Inc., responds as follows:

I. ANSWER

Answering Paragraph 1, the Defendant denies any violations.

Answering Paragraph 2, the Defendant admits jurisdiction; denies any violations.

Answering Paragraph 3, the Defendant admits Plaintiff is a natural person, denies that

ANSWER AND AFFIRMATIVE DEFENSES - 1
CASE NO. 2:09-cv-01030-MJP

Luke, Casteel & Olsen, PSC
3400 188th Street SW, Suite 484
Lynnwood, WA 98037
425-744-0411
425-771-3490 (Facsimile)

1 City of Mill Creek is in King County.

2 Answering Paragraph 4, the Defendant admits.

3 Answering Paragraph 5, the Defendant admits.

4 Answering Paragraph 6, the Defendant admits

5 Answering Paragraph 7, the Defendant denies.

6 Answering Paragraph 8, the Defendant denies.

7 Answering Paragraph 9, the Defendant denies.

8 Answering Paragraph 10, the Defendant admits and denies as previously set forth.

9 Denies prayer for relief.

10 Answering Paragraph 11, the Defendant admits and denies as previously set forth.

11 Denies prayer for relief.

12 Answering Paragraph 12, the Defendant admits and denies as previously set forth.

13 Denies prayer for relief.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

II.

20 All other material allegations contained in the Complaint are hereby denied, together with all
21 elements of Plaintiff's request for relief, except as are hereinafter admitted or prayed for by the
22 Defendant.

III.

AFFIRMATIVE DEFENSES

FURTHER ANSWERING AND BY WAY OF AFFIRMATIVE DEFENSES, the

Defendant alleges as follows:

1. Estoppel.
2. Failure to mitigate the alleged damages.
3. Waiver.
4. Set off against amounts owed to Defendant.
5. Unclean hands.
6. Contributory negligence.

WHEREFORE, having answered Plaintiff's Complaint, the Defendant
prays for the following relief:

1. The Complaint of the Plaintiff be dismissed with prejudice;
2. Reasonable costs and attorneys' fees incurred in the defense of this suit be reimbursed; and
3. For such other and further relief as the Court may deem just.

DATED this 30th day of September, 2009.

LUKE, CASTEEL & OLSEN, PSC

Luke, Casteel & Olsen, PSC
3400 188th Street SW, Suite 484
Lynnwood, WA 98037
425-744-0411
425-771-3490 (Facsimile)

/s/ Kimberlee Walker Olsen

Kimberlee Walker Olsen, WSBA #28773

Attorney for Defendant

kolsen@lukecasteel.com

Z:\Client Files\KWO\R\rainier collection answer.wpd

ANSWER AND AFFIRMATIVE DEFENSES - 4